

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JEREMY MICHAEL FLOOD,)	
)	
Plaintiff,)	Civil Action No. 24-634
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Maureen P. Kelly
BUTLER COUNTY PRISON, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(B) and (C), and Local Rule of Civil Procedure 72.

On September 3, 2024, the Magistrate Judge issued a Report (Doc. 6) recommending that this action be dismissed for failure to prosecute. Service of the Report and Recommendation (“R&R”) has been made on the parties, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the R&R, the R&R is **ADOPTED** as the Opinion of the Court, and it hereby is **ORDERED** that the Complaint (Doc. 4) is **DISMISSED**, with leave to amend, only as summarized in the Conclusion section of the R&R. *See* Doc. 6 at 11.

By **December 10, 2024**, Plaintiff may file an amended complaint, attempting to cure the deficiencies, identified in the R&R. *See generally* Doc. 6. The Court will not grant further opportunity for amendment, so Plaintiff must make last, best efforts to plead legally supportable claims against the relevant parties. If an amended complaint is not timely filed, dismissal of Plaintiff’s claims summarily will be converted to with-prejudice. Lastly, the claims against the

Commonwealth of Pennsylvania – Court of Common Pleas of Butler County, Judge Streib, and Magistrate Judge Fullerton are dismissed with prejudice, as amendment would be futile.

IT IS SO ORDERED.

November 19, 2024

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via First-Class U.S. Mail):

JEREMY MICHAEL FLOOD
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